

**ZB# 68-12**

**Anthony Sinisgalli**

**(no SBL given)**

68-12  
Sinisgalli, Anthony J.

Recd-  
9-17-68  
2. P.M.

## Zoning Change Is Requested

A request for a variance to permit local business in a residential zone at Blooming Grove Turnpike was taken under advisement Monday by the New Windsor Zoning Board of Appeals.

Mrs. Louise Budney, board chairman, said the applicant is Anthony Sinigali. The applicant seeks to sell his home in a residential zone for business use.

Adopted 12/20/65

APPLICATION FOR VARIANCE

APPLICATION NO. 12

DATE: August 7 1968

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (~~was~~) ANTHONY J. SINISGALLI of Blooming Grove Turnpike, M.D. 20  
(Street & Number)

Newburgh

New York  
(State)

HEREBY MAKE

APPLICATION FOR A VARIANCE:

- Blooming Grove Turnpike,  
M.D. 20, Newburgh, N.Y., - RB  
(Street & Number) (Use District on Zoning Map)
- A. LOCATION OF THE PROPERTY M.D. 20, Newburgh, N.Y., - RB  
(Street & Number) (Use District on Zoning Map)
- B. PROVISION (☒) OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance: Article 3, Section 48-7, and  
Article 3, Section 48-9.
- C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:
1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: Applicant's land is  
restricted to 1-family residences; however, by reason of its  
location near apartment houses and Fire House, very heavy traffic  
renders it unsuitable for such uses and applicant is thus prevented  
from selling the property.
  2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: Neighboring properties have been granted variances and/or  
special permits for Local Business and Multiple Dwelling, thereby  
diminishing the value of applicant's property as a 1-family resi-  
dence.
  3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Ordinance because:  
When applicant purchased his property in August 1958 it was zoned  
Commercial and thereafter in 1964 it was rezoned to 1-family resi-  
dence,

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this ordinance because: Almost all

surrounding properties are utilized for Local Business and  
Multiple Dwellings.

5. Relief, if approved, will not constitute a grant of special privilege incons'tent with the limitations upon other properties in the zone because:

Applicant's property is virtually the only non-commercial property  
in the neighborhood.

- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

Applicant desires to have property zoning designation changed from  
RB (Residential Single Family) to LB (Local Business).

- I. Application to be accompanied by a check, payable to the ~~Town of New Windsor~~ in the amount of \$10.00. Application to be returned to: New Windsor Zoning Board of Appeals, ~~Box 155~~, New Windsor, N. Y. 12550.

F. NOTICE OF HEARING:

Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the ordinance

- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified.

Dated: August 7, 1968

STATE OF NEW YORK ) SS

COUNTY OF ORANGE

Sworn to this

7th day of August 1968

DANIEL J. BLOOM

Notary Public — State of New York  
Residing in Orange County

Commission Expires March 30, 1969

(Notary Public)

Anthony J. Linsgall  
Signature of Applicant

Bloomington Trpk.  
Address

Newburg, N.Y.  
501 8458

Telephone No.

DO NOT WRITE IN THIS SPACE

Application NO. 12

Date of Hearing 8/19/68

Date of Decision 8/14/68

Date Received 8/7/68

Notice Published 8/8/68

Decision: Variance denied 4-0.

**PUBLIC NOTICE OF HEARING  
BEFORE THE  
ZONING BOARD OF APPEALS**  
PLEASE TAKE NOTICE that the  
Zoning Board of Appeals of the Town  
of New Windsor, New York, will  
hold a public hearing pursuant to  
Section 48-33A of the Zoning Ordinance  
on the following proposition:  
Request of Anthony J. Sinisgalli  
for a variance of the regulations of  
the zoning ordinance to permit use  
of his premises in accordance with  
Article 3, Section 48-9 of the New  
Windsor Town Zoning Ordinance  
(LB-Local Business), being a vari-  
ance of Article 3, Section 48-7 for  
property owned by him situated as  
follows:  
On the easterly side of Blooming  
Grove Turnpike, M.D. 20, Newburgh,  
New York (or other description of  
requested action by the Board of  
Appeals.)  
SAID HEARING will take place on  
the 19th of Aug., 1968, at the Town  
Hall, beginning at 7:30 o'clock P.M.  
LOUISE A. BUDNEY  
Chairman  
Aug. 6

**State of New York  
County of Orange, ss:**

Hugh V. Nocton , being duly sworn deposes and  
says that he is ....Principal Clerk..... of Newburgh-  
Beacon News Co., Inc., Publisher of The Evening News.  
a daily newspaper published and of general circulation in  
the Counties of Orange and Dutchess, and that the notice  
of which the annexed is a true copy was published . ....

One Time

in said newspaper, commencing on the.....8th.....day of  
.....August.....A.D., 19 68 , and ending on  
the .....8th..... day of .....August..... A.D., 19 68

Subscribed and sworn to before me this  
.....8th..... day of.....August..... 19.....68.....

} *Hugh V. Nocton*  
*Louise A. Budney*

Notary Public of the State of New York, County of Orange.  
MY COMMISSION EXPIRES MARCH 30, 19 69



Spectators: Sinigalli

Aug 19, 1945

John Miller

Edgar L. Baker

Ed. Mungo

Ed. P. Carhart Jr

Anthony J. Sinigalli

May Ann Sinigalli

Sinigalli Public  
hearing  
7.45 P.M.

August 31, 1968

Bernard J. Sommers, Esq.  
McCann, Ahern & Sommers  
280 Broadway  
Newburgh, New York 12550

Re: Application for Variance: Anthony J. Sinisgalli

Dear Bernie:

Permit me to apologize for the delay in this correspondence. I have been out of the office most of this week.

In furtherance of our telephone conference earlier this week, I wish to advise that my client, above captioned, has decided not to take an appeal from the decision of the Town of New Windsor Zoning Board of Appeals rendered on August 19, 1968, denying his application for a variance on his premises in Vails Gate, New York.

Accordingly, I shall not request a copy of the Minutes of the referred to Hearing and hereby formally waive any right to a copy of the same.

Very truly yours,

DANIEL J. ELOOM

DJB:jp

cc: Louise A. Budney  
Chairman  
Zoning Board of Appeals  
Town of New Windsor, N.Y. 12550



DANIEL J. BLOOM

*Attorney at Law*

POST OFFICE BOX 477 *Vails Gate, New York 12584* TELEPHONE 561-6920

August 7, 1968

Mrs. Louise A. Budney  
Chairman, Zoning Board of Appeals  
Town of New Windsor  
Veronica Avenue  
New Windsor, New York

Re: Appeal No. 1-68 Anthony J. Sinisgalli

Dear Mrs. Budney:

I enclose herewith on behalf of my above-captioned client Public Notice of Hearing, Application For Variance, Survey Of Property, and my check in the amount of \$10.00 covering the Filing Fee.

In accordance with your instructions set forth in the "Procedure for Public Hearing" I have reviewed Section 239-m of the General Municipal Law and find that it will be necessary thereunder to file Notice of Appeal with the Orange County Planning Board by reason of the fact that Mr. Sinisgalli's premises is located within 500 feet of a State or County Highway.

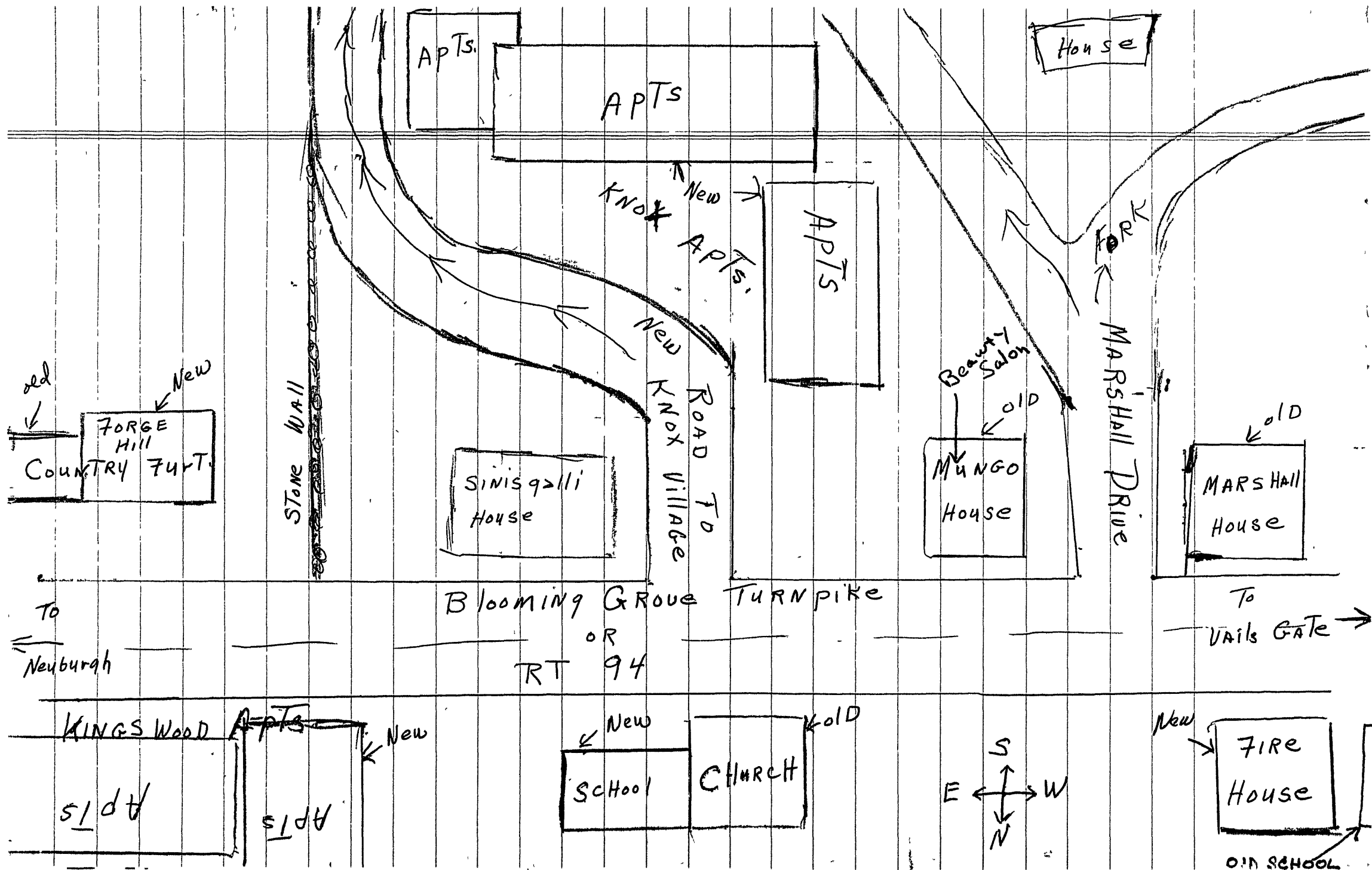
I trust that the enclosures are in order and sufficient to bring on the Public Hearing on Monday evening at 7:30 p.m., August 19, 1968.

Very truly yours,



DANIEL J. BLOOM

DJB:jp  
Encls.

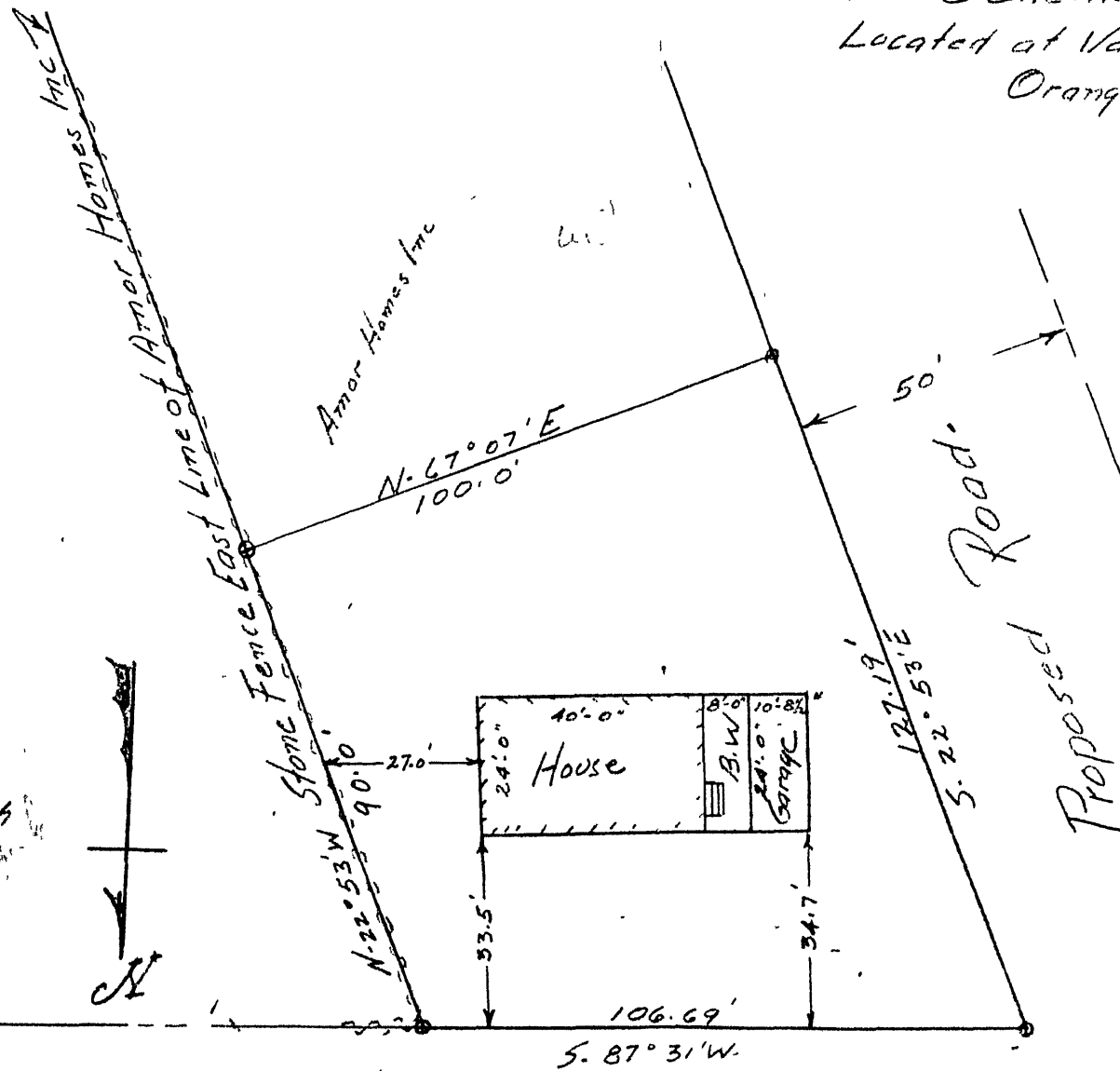


Petition Exhibit A Aug 19, 1965

Survey of House and Lot  
 For Genemark Enterprise Inc.  
 Located at Vails Gate Town of New Windsor  
 Orange County NY  
 By Theo. J. Griffith, Lic. Surveyor  
 N.Y.S. #11241.  
 Aug-22-1957.

Certified that the house  
 as indicated is within the  
 bounds of the lot as shown  
 by this plat. The (original)

Scale.  
 30 Feet = 1 inch



Newburgh ←

Route # 94

→ Vails Gate